

UNITED STATES DISTRICT COURT
 for the
 District of Delaware

United States of America)
 v.)
 LUIS ARIAS GARCIA,) Case No.
 a/k/a JOSE L. SALOME) 19- 208-N
 a/k/a ELIEZER ALVERADO,)
)
)
)

Defendant(s)

FILED
CLERK, U.S. DISTRICT COURT
DISTRICT OF DELAWARE

2019 JUL 15 PM 12:04

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

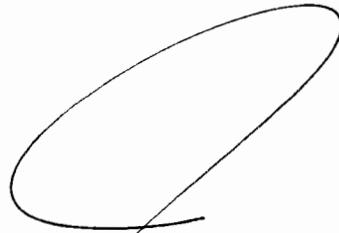
On or about the date(s) of July 23, 2018 in the county of New Castle in the
 District of Delaware, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
8 U.S.C. § 1326(b)(1)	Illegal Reentry of Previously Removed Alien

This criminal complaint is based on these facts:

See the attached Affidavit.

Continued on the attached sheet.


 Complainant's signature

John Hanlon, ICE Deportation Officer
 Printed name and title

Sworn to before me and signed in my presence.

Date: 07/15/2019

City and state: Wilmington, Delaware


 Judge's signature
 Hon. Sherry R. Fallon, U.S. Magistrate Judge
 Printed name and title

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

Your affiant, John Hanlon, being duly sworn, does depose and say:

1. I am a Deportation Officer with the Department of Immigration & Customs Enforcement (“ICE”), a branch of the United States Department of Homeland Security (“DHS”), at the ICE office located in Dover, Delaware. I have been employed by Immigration and Customs Enforcement since January 2, 2007.

2. This investigation is based upon information provided in DHS/ICE records, National Crime Information Center (“NCIC”) records, Federal Bureau of Investigation (“FBI”) records, and by my own observations, interviews, training and experience. Since this affidavit is only for purposes of establishing probable cause for an arrest pursuant to Title 8, United States Code, Sections 1326(b)(1), not all facts related to this investigation are contained herein.

3. On or about July 23, 2018, the Howard R. Young Correctional Institution in Wilmington, Delaware notified the ICE Dover office that a possible illegal alien was in their custody. ICE database and NCIC record checks were conducted that indicated that the subject, Luis ARIAS GARCIA, was a possible illegal alien from the Dominican Republic.

4. On or about July 23, 2018, Deportation Officers obtained the fingerprints of ARIAS GARCIA at the Howard R. Young Correctional Institution in Wilmington, Delaware. Officers queried the subject's fingerprints in ICE's automated database. The results of that query showed that these fingerprints matched Alien #XXXXXX450. Officers also searched ARIAS GARCIA's fingerprints in the FBI database. These fingerprints matched FBI # XXXXXXB7.

5. No post-arrest statements were made in this investigation.
6. Your affiant has reviewed DHS/ICE alien database records and ARIAS GARCIA's alien file (XXXXXX450), which reflect the following:
 - a. ARIAS GARCIA was born in the Dominican Republic.
 - b. ARIAS GARCIA originally entered the United States on or about an unknown date, at an unknown location without admission, inspection, or parole from an Immigration Official. ARIAS GARCIA was encountered by Immigration Officers in 2006 while incarcerated in the Massachusetts Department of Corrections. ARIAS GARCIA was issued a Notice to Appear before an Immigration Judge.
 - c. On May 15, 2006, an Immigration Judge in Boston, Massachusetts ordered ARIAS GARCIA removed from the United States to the Dominican Republic. ARIAS GARCIA was physically removed to the Dominican Republic on June 14, 2006.
 - d. Immigration Officers encountered ARIAS GARCIA in October of 2006 in the Massachusetts Department of Corrections after he had entered the United States without admission, inspection or parole.
 - e. ARIAS GARCIA was convicted in Middlesex County, Massachusetts for the offense of Possession of a Controlled Substance with Intent to Distribute Cocaine, a crime punishable by more than one year in prison.

f. Subsequent to his conviction, ARIAS GARCIA was issued a Notice of Intent to Reinstate a Prior Order of Removal on November 14, 2007. ARIAS GARCIA was physically removed to the Dominican Republic on September 11, 2008.

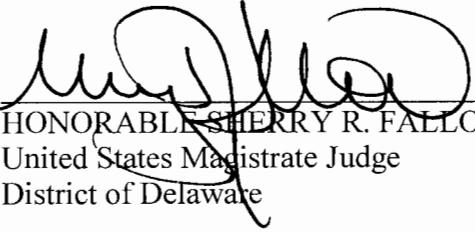
g. The records contain no indication that ARIAS GARCIA had obtained permission from the United States government to re-enter the country.

WHEREFORE, Your affiant avers that there is probable cause to believe that Luis ARIAS GARCIA, a citizen and alien of the Dominican Republic, was found in the United States on July 23, 2018 after having been removed therefrom to the Dominican Republic twice, originally on June 14, 2006 and then on September 11, 2008 subsequent to a felony conviction and not having obtained the express consent of the Secretary of Homeland Security to reapply for admission to the United States in violation of Title 8, United States Code, Sections 1326(b)(1).



John Hanlon
Deportation Officer
United States Immigration & Customs Enforcement

Subscribed and sworn to
before me this 15th day of July, 2019



HONORABLE SHERRY R. FALLON
United States Magistrate Judge
District of Delaware